

MINUTES  
PLANNING COMMISSION  
APRIL 8, 2014 – 7:00 P.M.  
TOWN HALL ANNEX – COMMUNITY ROOM 2

I. ROLL CALL

Regular members present: Sherrard, Pritchard, Kane, Munn, Steinford  
Alternate members present: Fitzgerald, Zod (7:03 pm)  
Absent:  
Staff present: Jones, Cullen, Silsby

Chairman Sherrard called the meeting to order at 7:02 p.m. Due to the public hearing beginning at 7:30 pm, it was decided that other agenda items would be addressed prior to the opening of the public hearing.

II. SITE PLANS

1. New England Cycle Works, 661 Gold Star Highway (SIT11-04) – Request for 1 year Start of Construction Extension.

Staff reviewed the location and noted that the original site plan was approved on 6/14/2011. The plans have been filed in land records. Jeff Welcome was present for this request.

MOTION: To approve an extension for start of construction until June 14, 2015

Motion made by Sherrard, seconded by Munn, so voted unanimously

2. Mystic Emporium, 15 Water Street (SIT14-04) (CAM)

Greg Fedus of Fedus Engineering was present for this application. Also present were representatives from the Mystic Arts Center. Fedus explained the request for a use change, from retail to a restaurant/café for the basement level. He reviewed previously approved work including the rear addition, parking, and dedicated parking signs for tenants.

Staff distributed floor plans, reviewed the proposal for the butcher shop on the 1<sup>st</sup> floor. She noted that the zoning official considers the butcher shop to be a retail operation. She noted that 12 parking spaces are required, 8 if the 5/8 rule is applied. This is an increase of 4 required parking stalls, which will be satisfied by new parking stalls approved as part of the Mystic Art Center parking lot expansion. She noted that a CAM application has been submitted. The applicant indicated no deck for outdoor service would be asked for and none would be desired in the future.

Inquiries were made about handicapped access, seating capacity, lighting, display cases and shelving.

MOTION: To approve SIT14-04, Mystic Emporium, 15 Water Street, subject to the following modifications:

1. All technical items of Staff shall be addressed.

The Planning Commission notes that in approving this application, it is applying the 5/8 rule to the parking calculations, resulting in the need for a total of 8 parking spaces rather than 12 spaces.

Motion made by Sherrard, seconded by Pritchard, so voted unanimously

**MOTION:** To approve the Coastal Site Plan for the Mystic Emporium because it is consistent with all applicable coastal policies and includes all reasonable measures to mitigate adverse impacts on coastal resources.

Motion made by Sherrard, seconded by Kane, so voted unanimously

III. APPROVAL OF THE FOLLOWING MINUTES March 25, 2014

**MOTION:** To approve the minutes of March 25, 2014, as amended.

Motion made by Pritchard, seconded by Munn, so voted 4 in favor, 1 Abstention (Steinfeld). Motion Passed.

Inquiries were made about potential water taxis, as discussed in the minutes.

IV. PUBLIC COMMUNICATIONS – None.

V. NEW BUSINESS

1. Report of Commission

Pritchard attended a training session on March 31, 2014 at the Council of Governments (COG) and stated it was valuable to land use commissions.

2. Noank Zoning Commission Referral for Zoning Regulation Text Amendments to Sections 2.26.6.4

The Planning Commission had no comment.

3. Town Council Referral of Godfrey Street Easement to Planning Commission under CGS Section 8-24.

Staff distributed a map and proposed easement language from the Town Attorney dated March 19, 2014.

**MOTION:** Planning Commission supports the granting of the easement.

Motion made by Pritchard, seconded by Munn, so voted unanimously

VI. PUBLIC HEARING

The public hearing began at 7:30 p.m. Secretary Pritchard read the public hearing notice. Chairman Sherrard read the public hearing procedures.

Roger Watrous, 306 New London Turnpike, Stonington, CT, was present for the public hearing. He reviewed the map and explained the proposal. He noted that the original mylars that were approved in 2003 have never been recorded. He spoke about the sidewalk waiver request and a request to donate a 5.5 acre piece of land to the Town of Groton, in place of a fee in lieu of open space. Watrous noted that Groton Utilities has no objection to the installation of overhead utilities. The applicant inquired about the possibility of setting aside money to develop a sidewalk in the future.

Staff stated that the mailings are in order. She stated that some of the regulations and plans have changed since the Novak Subdivision was approved. The subdivision regulations have been updated to include new open space requirements. The Master Trails Plan was approved in July 2004 and outlines Route 12 as a high priority area for sidewalk and trail connections. In this case, a 5.5 acre parcel of land on Fort Hill Road has been offered as open space. Staff explained the location of this property in relation to other open space lands in the immediate area, as well as the 1000 feet along Fort Hill Brook that would be protected if the Town chooses to accept this piece of land as the open space associated with one subdivision. Staff noted that a common driveway serves more than one property.

Inquiries were made about sidewalks, drainage, and wetlands. Concerns were raised about not putting in a sidewalk to connect to abutting lands, pros and cons of accepting the 5.5 acres of land of open space, and whether the Conservation Commission should be included in making a decision. The Commission felt it is important to know what the value of the parcel would be. However, the Commission directed Staff to provide a report on behalf of the Conservation Commission as to the qualitative value of the parcel. The Commission told the applicant that a formal appraisal was not necessary at this time.

Discussion followed about whether to keep the public hearing open until additional information is obtained. Staff will prepare a qualitative report on the proposed open space for the next meeting.

MOTION: To continue the Public Hearing until April, 22, 2014

Motion made by Sherrard, seconded by Steinfeld, so voted unanimously.

## VII. OLD BUSINESS

1. Subdivision Regulation Amendments – No report.
2. Plan of Conservation and Development Update

It was noted that the next POCD Steering Committee meeting will be held on Thursday, April 24, 2014.

## VIII. NEW BUSINESS - Continued

3. Zoning Commission Referral for May 7, 2014 Public Hearing
  - a. ZCH#14-01, 707-817 River Road and east of River Road designated as 0 River Road.

Attorney Dixon was present for this discussion.

Staff reviewed maps and the location as she explained the proposal to change the zoning designation of 17 properties on River Road from RU-80 to RU-40. She noted that only one lot of the 17 included could be split if the change were approved.

These properties are part of a larger area that was changed from RU-20 to RU-80 in 1983, as a result of recommendations in the municipal coastal program.

Attorney Dixon gave background information about the land and bringing it closer to the reality of what was on the ground. Information was given about its scenic road designation.

Inquiries were made about splitting the lot in the future and concerns were raised about spot zoning. Staff reviewed the changes that would occur if zoning were changed to RU-40. She stated that all 17 property owners are in agreement with this proposal.

MOTION: To support the zone change from RU-80 to RU-40

Motion made by Pritchard, seconded by Steinfeld, so voted 3 in favor, 2 opposed (Sherrard and Munn). Motion Passed.

IX. SUBDIVISIONS – No update was given.

X. REPORT OF CHAIRMAN

It was noted that a regional planning meeting will be held at the end of April.

XI. REPORT OF STAFF

Staff stated that the Oat Re-subdivision decision has been appealed.

XII. ADJOURNMENT

Motion to adjourn at 8:30.m. was made by Pritchard, seconded by Steinfeld, so voted unanimously.

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Jeffrey Pritchard, Secretary  
Planning Commission

Prepared by Robin Silsby  
Office Assistant II